

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MASSACHUSETTS
EASTERN DIVISION

In re:)	
)	
UPPER CRUST, LLC, ET. AL.)	CHAPTER 7
)	CASE NO. 12-18134-HJB
Debtors.)	
)	
MARK G. DEGIACOMO,)	
CHAPTER 7 TRUSTEE OF THE UPPER CRUST)	
LLC, ET AL,)	
)	ADVERSARY
)	PROCEEDING
Plaintiff,)	NO. 14-01163
)	
v.)	
)	
JORDAN TOBINS and)	
STEFANY TOBINS,)	
)	
Defendants.)	

**ASSENTED-TO MOTION TO EXTEND TIME FOR DEFENDANTS TO FILE
FURTHER OPPOSITION TO PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT**

Counsel to Jordan Tobins and Stefany Tobins (the "Defendants"), with the assent of counsel for Mark G. DeGiacomo, the duly-appointed Chapter 7 trustee (the "Trustee") of the estate of The Upper Crust, LLC et al., (the "Debtors"), (collectively, the "Parties"), hereby moves this honorable Court for an order extending the deadline to file the Defendants' opposition papers to May 24, 2016. As grounds for this motion, the Defendants state:

1. For the past two weeks Defendants' counsel has had and continues to have multiple hearings and mediations which has precluded Defendants' counsel from completing the Opposition to the pending Motion for Summary Judgment.

2. Defendants' counsel has an appellate brief in Massachusetts Appeals Court due May 19, 2016 in a case captioned Trustees of Bartley Nolan Condominium Trust v. Ronald F. Kamel, et al., Docket No. 2015-P-1635.

3. The Court's allowance of this Motion will not prejudice either party as demonstrated by the fact that the Trustee has assented to this Motion.

For the foregoing reasons, the parties respectfully request that the Court GRANT this assented-to motion to extend time for the Defendants to file further opposition to Plaintiff's Motion for Summary Judgment until Tuesday, May 24, 2016.

JORDAN AND STEFANY TOBINS
By their attorneys,

/s/ Richard Briansky
Richard Briansky (BBO# 632709)
rbriansky@mccarter.com
McCarter English, LLP
265 Franklin Street
Boston, MA 02110
Tel: (617) 449-6500

ASSENTED TO:

MARK G. DEGIACOMO, CHAPTER 7
TRUSTEE OF THE UPPER CRUST LLC,
ET. AL.,
By his attorneys,

/s/ Ryan M. MacDonald
Ryan M. MacDonald, Esq. BBO #654688
Kevin F. Yetman, Esq. BBO #688631
Murtha Cullina LLP
99 High Street, 20th Floor
Boston, MA 02110
(617) 457-4000 Telephone
(617) 482-3868 Facsimile
rmacdonald@murthalaw.com
kyetman@murthalaw.com

Dated: May 18, 2016

CERTIFICATE OF SERVICE

I, Richard Briansky, hereby certify that this document was filed through the Court's ECF System and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/Richard Briansky